IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19825 of 2004

Between:

Vaddelu Singaiah, S/o Subbaiah, Hindu,
R/o Turupunaidupalem, Tangutur Mandal, Prakasam District.

..... PETITIONER

AND

1 The District Collector, Prakasam at Ongole.
2 The Revenue Divisional Officer, Ongole, Prakasam District.
3 The Mandal Revenue Officer, Tangutur, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus or any other appropriate writ, declaring the inaction of the respondent in not considering my representation dated 3-2-2004 to measure the land and "D" marketed the same and handover the possession to the petitioner and enter the same in all the revenue records as illegal arbitrary and void.

For the Petitioner: MR.G.V.L.MURHTY, Advocate

For the Respondents: GP FOR REVENUE

The Court made the following :

Order

Alleging that his land measuring Ac.5-87 cents is in possession of the neighbouring co-sharers, the petitioner made a representation on 3-2-2004 to the Government officials requesting them to measure and demarcate the land according to the title deeds and handover the same to the petitioner. Complaining action on the part of the officials in not demarcating the land, the present writ petition has been filed.

The writ petition filed by the petitioner is misconceived. At the most the petitioner can seek demarcation of the land if he files necessary application and pays necessary charges for survey, but respondents under no obligation to demarcate the land and handover possession by entering the name of the petitioner in the revenue records as claimed by the petitioner.

The writ petition is accordingly dismissed. However, the petitioner can approach the revenue officials with necessary application and fee, if any, for demarcation of the land. On filing such application, if the respondents feel that demarcation is the necessary, they shall get the land of the petitioner demarcated.

_____

A.GOPAL REDDY,J

Dt. 8-11-2004

kmr

To

1 The District Collector, Prakasam at Ongole.
2 The Revenue Divisional Officer, Ongole, Prakasam District.
3 The Mandal Revenue Officer, Tangutur, Prakasam District.

4. 2CCs to the Govt., Pleader for Revenue, High Court Buildings, Hyderabad.

5. 2CD copies